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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,078	06/23/2003	Dirk Trossen	042933/262997	1210
826	7590	07/25/2007		
ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			EXAMINER PATEL, NIRAV B	
			ART UNIT 2135	PAPER NUMBER
			MAIL DATE 07/25/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/602,078

Applicant(s)

TROSSEN, DIRK

Examiner

Nirav Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2007 (Amendment).
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Applicant's amendment filed on May 15, 2009 has been entered. Claims 1-24 are pending. Claims 1-21 are amended by the applicant. Claims 22-24 are new added claims by the applicant. The Office would like to notify the Applicant that there has been a change in the Examiner to conduct the future examination and prosecution processes of the currently pending application.

### Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4-6, 8, 9, 10, 13-15, 17-19 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karmouch et al (US Patent No. 7,240,015) and in view of McCann et al (US Pub. No, 2004/0064707).

As per claim 1, Karmouch teaches:

receiving, at a first network entity, consent to access event-based information available within a network and associated with an event [Fig. 3, col. 6 lines 20-23], and automatically thereafter creating an authorization, wherein the first network entity is configured to control access to the event- based information [col. 7 lines 55-65, Fig. 3];

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transmitting the authorization from the first network entity to a second network entity [Fig. 3, col. 7 lines 55-57]; transmitting a subscription message from the second network entity to an event server configured to maintain the event [Fig. 3, col. 7 lines 60-63], determining at the event server whether to accept the subscription message based upon the authorization [col. 7 lines 62-65].

McCann teaches:

wherein the subscription message includes the authorization and an event package describing the event-based information [Fig. 1 steps 114-134, paragraph 0021 lines 1-9, paragraph 0026 lines 8-9]. Further, McCann teaches determining at the event server whether to accept the subscription message based upon the authorization [Fig. 1 steps 138-150, paragraph 0026 lines 16-25].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine McCann with Karmouch, since one would have been motivated to provide location-based service, where users can subscribe to a service to receive location-sensitive content [McCann, paragraph 0001 lines 7-9].

As per claim 4, the rejection of claim 1 is incorporated and McCann teaches receiving a consent to access the event-based information associated with the event with at least one parameter including at least one of a predefined granularity, frequency or time period, and wherein creating an authorization comprises creating an authorization including the at least one parameter [paragraph 0037, 0038, 0021 lines 8-16].

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As per claim 5, the rejection of claim 1 is incorporated and Karmouch teaches:

determining whether to accept the subscription message comprises: verifying the authorization [col. 7 lines 63-65]; and accepting the subscription message if the authorization is verified to thereby provide the second network entity with access to the event [Fig. 3, col. 7 lines 63-65].

McCann teaches:

verifying the authorization; and accepting the subscription message if the authorization is verified to thereby provide the second network entity with access to the event [Fig. 1 steps 142-162].

As per claim 6, the rejection of claim 5 is incorporated and Karmouch teaches:

verifying the authorization includes verifying that at least one of a predefined frequency and-or time period has not been exceeded [col. 8 lines 1-6].

McCann teaches:

verifying the authorization includes verifying that at least one of a predefined frequency and-or time period has not been exceeded [paragraph 0021 lines 8-16, paragraph 0037, 0038].

As per claim 8, the rejection of claim 5 is incorporated and Karmouch teaches:

accepting the subscription message comprises accepting the subscription message to thereby provide the second network entity with access to the event-based information with a predefined granularity [paragraph 0037].

As per claim 9, the rejection of claim 1 is incorporated and McCann teaches:

storing the authorization in a cache such that the event server can retrieve the authorization in response to receiving at least one subsequent subscription message, wherein at least one subsequent subscription message includes an event package describing the event-based information (i.e. without the authorization) [paragraph 0031].

As per claim 10, it encompasses limitations that are similar to limitations of claim 1. Thus, it is rejected with the same rationale applied against claim 1 above.

As per claim 13, the rejection of claim 10 is incorporated and it encompasses limitations that are similar to limitations of claim 4. Thus, it is rejected with the same rationale applied against claim 4 above.

As per claim 14, the rejection of claim 10 is incorporated and it encompasses limitations that are similar to limitations of claim 5. Thus, it is rejected with the same rationale applied against claim 5 above.

As per claim 15, the rejection of claim 14 is incorporated and it encompasses limitations that are similar to limitations of claim 6. Thus, it is rejected with the same rationale applied against claim 6 above.

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As per claim 17, the rejection of claim 14 is incorporated and it encompasses limitations that are similar to limitations of claim 8. Thus, it is rejected with the same rationale applied against claim 8 above.

As per claim 18, the rejection of claim 10 is incorporated and it encompasses limitations that are similar to limitations of claim 9. Thus, it is rejected with the same rationale applied against claim 9 above.

As per claim 19, it encompasses limitations that are similar to limitations of claim 1. Thus, it is rejected with the same rationale applied against claim 1 above.

As per claim 21, the rejection of claim 19 is incorporated and it encompasses limitations that are similar to limitations of claim 4. Thus, it is rejected with the same rationale applied against claim 4 above.

As per claim 22, the rejection of claim 1 is incorporated and McCann teaches: receiving consent to access event-based information related to the first network entity [paragraph 0028, 0029].

As per claim 23, the rejection of claim 10 is incorporated and it encompasses limitations that are similar to limitations of claim 22. Thus, it is rejected with the same rationale applied against claim 22 above.

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As per claim 24, the rejection of claim 19 is incorporated and it encompasses limitations that are similar to limitations of claim 22. Thus, it is rejected with the same rationale applied against claim 22 above.

3. Claims 2 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karmouch et al (US Patent No. 7,240,015) in view of McCann et al (US Pub. No, 2004/0064707) and in view of Mizuno et al (US Patent No. 6,473,785).

As per claim 2, the rejection of claim 1 is incorporated and Karmouch teaches transmitting a request to access the event-based information associated with the event [Fig. 3].

Mizuno teaches:

wherein the request is transmitted from the second network entity to the first network entity prior to receiving consent to access the event-based information [Fig. 15, col. 1 lines 43-55].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Mizuno with Karmouch and McCann, since one would have been motivated to provide an operating right interlinking and a cooperative working [Mizuno, col. 2 lines 28-30].



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As per claim 11, the rejection of claim 10 is incorporated and it encompasses limitations that are similar to limitations of claim 2. Thus, it is rejected with the same rationale applied against claim 2 above.

4. Claims 3, 12 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karmouch et al (US Patent No. 7,240,015) in view of McCann et al (US Pub. No, 2004/0064707) in view of Mizuno et al (US Patent No. 6,473,785) and in view of Fiatal et al (US Patent No. 7,139,565).

As per claim 3, the rejection of claim 2 is incorporated and Karmouch teaches transmitting the request to access the event-based information [Fig. 3].

Fiatal teaches:

transmitting a request comprises: transmitting a trigger from the second network entity to the first network entity; and executing the trigger to thereby activate the request to access the event-based information [col. 7 lines 44-60].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Fiatal with Karmouch, McCann and Mizuno, since one would have been motivated to allow real-time access to enterprise data sources [Fiatal, col. 1 lines 46-47].

As per claim 12, the rejection of claim 11 is incorporated and it encompasses limitations that are similar to limitations of claim 3. Thus, it is rejected with the same rationale applied against claim 3 above.

As per claim 20, the rejection of claim 19 is incorporated and it encompasses limitations that are similar to limitations of claims 2 and 3. Thus, it is rejected with the same rationale applied against claims 2 and 3 above.

5. Claims 7 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karmouch et al (US Patent No. 7,240,015) in view of McCann et al (US Pub. No. 2004/0064707) in view of Pujare et al (US Pub. No. 2002/0083183).

As per claim 7, the rejection of claim 1 is incorporated and McCann teaches verifying the authorization as shown in Fig. 1.

Pujare teaches verifying the authorization includes verifying a shared secret [paragraph 0272, lines 16-18].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Pujare with Karmouch and McCann, since one would have been motivated to provide location-based service, where users can subscribe to a service to receive location-sensitive content [McCann, paragraph 0001 lines 7-9].

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As per claim 16, the rejection of claim 14 is incorporated and it encompasses limitations that are similar to limitations of claim 7. Thus, it is rejected with the same rationale applied against claim 7 above.

### **Response to Amendment**

6. Applicant has amended claims 1-21 and added new claims 22-24, which necessitated new ground of rejection. See rejection above.

### **Conclusion**

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lawson et al (US 6185613) – System and method for global event notification and delivery in a distributed computing environment.

Koskelainen (US 2003/0040280) – Service mobility and recovery in communication network

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

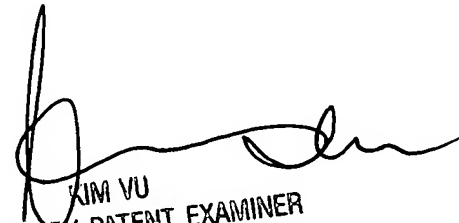
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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nirav Patel whose telephone number is 571-272-5936. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax and phone numbers for the organization where this application or proceeding is assigned is 571-273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

*NBP*

7/20/07



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